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24 AMERICAN SECURITY INSURANCE COMPANY

25 UNITED STATES DISTRICT COURT
26 NORTHERN DISTRICT OF CALIFORNIA
27 SAN FRANCISCO DIVISION

28 STANLEY D. CANNON, PATRICIA R.
29 CANNON, and CHERYL BULLOCK,
30 individually and for other persons similarly
31 situated,

32 Plaintiffs,

33 v.

34 WELLS FARGO BANK, N.A.; WELLS
35 FARGO INSURANCE, INC.; and
36 AMERICAN SECURITY INSURANCE
37 COMPANY,

38 Defendants.

Case No. 3:12-cv-01376-EMC

39 **STIPULATION AND ~~PROPOSED~~ ORDER
40 CONTINUING OCTOBER 7, 2014 CASE
41 MANAGEMENT CONFERENCE;
42 DECLARATION OF PETER S. HECKER
43 IN SUPPORT OF SAME**

1 **STIPULATION TO CONTINUE OCTOBER 7, 2014 CASE MANAGEMENT**
2 **CONFERENCE**

3 Pursuant to Civil L.R. 7-12, 6-1(b) and 6-2, it is hereby stipulated by and between the
4 parties, through their respective attorneys, that:

5 WHEREAS, on February 12, 2014, the Court ordered the above-captioned case stayed until
6 final approval of the settlement in *Fladell v. Wells Fargo Bank, N.A.*, 13-cv-60721 (S.D. Fla.)
7 (“*Fladell*”) (ECF No. 181);

8 WHEREAS, the court in *Fladell* held a hearing to consider final approval of the settlement
9 in that case on September 18, 2014;

10 WHEREAS, as of the date of the execution of this stipulation, the *Fladell* court has not yet
11 issued an order on final approval and thus, the stay in this matter is still pending;

12 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED THAT, subject to
13 the Court’s approval, the October 7, 2014 case management conference shall be continued until
14 December 4, 2014, and the parties’ Joint Case Management Conference statement shall be due on
15 November 20, 2014.

16 **Filer's Attestation:** Pursuant to L.R. 5-1(i)(3), Peter S. Hecker hereby attests that
17 concurrence by all signatories in the filing of this document has been obtained.

Dated: September 29, 2014

/s/ Peter S. Hecker

Peter S. Hecker

SHEPPARD MULLIN RICHTER & HAMPTON LLP
Attorneys for Assurant Inc. and American Security
Insurance Co.

Dated: September 29, 2014

/s/ Barry Himmelstein

Barry Himmelstein

HIMMELSTEIN LAW NETWORK

Attorneys for Plaintiffs Stanley D. Cannon, Patricia R.
Cannon and Cheryl Bullock

Dated: September 29, 2014

/s/ Jonah Van Zandt

Jonah Van Zandt

SEVERSON & WERSON

Attorneys for Wells Fargo Bank, N.A. and Wells
Fargo Insurance, Inc.

PURSUANT TO STIPULATION, IT IS SO ORDERED. Further CMC reset for
12/4/14 at 10:30 a.m.

Dated: Sept. 30, 2014



DECLARATION OF PETER S. HECKER

I, Peter S. Hecker, declare:

1. I am an attorney duly admitted to practice before this Court. I am a partner with the
2 law firm of Sheppard Mullin Richter & Hampton, LLP, co-counsel for defendant American
3 Security Insurance Co. in this case. I have personal knowledge of the facts set forth below.
4

2. As set forth in the above stipulation, the parties have stipulated that, subject to the
3 Court's approval, the October 7, 2014 case management conference shall be continued until
4 December 4, 2014.

3. Previous time modifications in this case include:

- On July 13, 2012, the Court granted Plaintiffs' motion to extend time to respond to Wells Fargo motion to dismiss.
- On July 18, 2012, the Court continued a Case Management Conference.
- On August 9, 2012, the parties stipulated to extend former defendant Assurant, Inc.'s time to respond to the Complaint.
- On August 20, 2012, the Court continued a Case Management Conference.
- On August 20, 2012, the parties stipulated to extend former defendant Federal National Mortgage Association's time to respond to the Amended Complaint.
- On August 21, 2012, the parties stipulated to extend Wells Fargo Bank, N.A.'s time to respond to the First Amended Complaint.
- On August 22, 2012, the Court continued a Case Management Conference.
- On September 10, 2012, the Court continued a Case Management Conference.
- On October 30, 2012, the Court continued deadlines for motions to dismiss and continued a Case Management Conference.
- On December 3, 2012, the Court continued a Case Management Conference.
- On January 10, 2013, the Court continued a Case Management Conference.
- On January 23, 2013, the Court continued a Case Management Conference, pursuant to stipulation.
- On July 2, 2013, the Court continued a Case Management Conference.

- On July 17, 2013, the Court continued a Case Management Conference, pursuant to stipulation.
 - On September 9, 2013, the Court continued a Case Management Conference.
 - On September 27, 2013, the Court continued a Case Management Conference.
 - On October 30, 2013, the Court continued the deadlines for Wells Fargo and ASIC to respond to the Third Amended Complaint, pursuant to stipulation.
 - On November 12, 2013, the Court continued a Case Management Conference.
 - On November 22, 2013, the Court continued motion hearings and a Case Management Conference, pursuant to stipulation.
 - On April 9, 2014, the Court continued the settlement conference.
 - On May 6, 2014, the Court continued the Case Management Conference.
 - On June 18, 2014, the Court continued the Case Management Conference.
 - On September 10, 2014, the Court reset the Case Management Conference from October 16, 2014 to October 7, 2014.

14 4. Due to the pending stay in this matter, I believe that the requested continuance will
15 not have any significant impact on the schedule for the case.

16 I declare under penalty of perjury under the laws of the United States that the foregoing is
17 true and correct.

Executed this 29th day of September, 2014 at San Francisco, California.

/s/ Peter S. Hecker

PETER S. HECKER